



**Development Services Department**  
City of Frisco, Texas

## Memorandum

**To:** Honorable Mayor Maso and Members of the Frisco City Council

**Cc:** George A. Purefoy, City Manager  
John Lettelleir, AICP, Director, Development Services

**From:** Scott Ingalls, AICP, Development Coordinator

**Date:** 08/13/2009

**Agenda Caption:** Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Development Agreement by and between the City of Frisco and Eland Energy for 463.4± acres located on the south side of U.S. 380, 2,200± feet east of F.M. 423. Neighborhoods #51 and 52.

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**Action Requested:** The City Council is asked to adopt the Resolution authorizing the City Manager to sign the agreement.

**Background Information:** Staff is requesting that the City enter into a Development Agreement with the above mentioned party in lieu of annexation. Under the terms of the agreement their property would not be annexed into the City but would remain in the City's extraterritorial jurisdiction (ETJ). While remaining in the ETJ it will be subject to the City's development standards and building codes. The term of the agreement is five years after which the City may annex the property or enter into another development agreement.

Accompanying this memo is a draft version of the development agreement. A final agreement was not available at the time of the publication of the agenda. A final version will be provided prior to the City Council meeting.

**Board Review/Citizen Input:** Not applicable.

**Alternatives:** Not applicable.

**Financial Considerations:** Not applicable.

**Legal Review:** The City Attorney's Office has prepared the agreement.

**Supporting Documents:**

- Resolution.
- Development Agreement.
- Locator Map.

**Staff Recommendation:** City Council adoption of the resolution.